

109TH CONGRESS
2D SESSION

H. R. 5089

To enable the Great Lakes Fishery Commission to investigate effects of migratory birds on sustained productivity of stocks of fish of common concern in the Great Lakes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2006

Mr. STUPAK introduced the following bill; which was referred to the
Committee on Resources

A BILL

To enable the Great Lakes Fishery Commission to investigate effects of migratory birds on sustained productivity of stocks of fish of common concern in the Great Lakes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Great Lakes Migratory
5 Bird Research and Management Act”.

1 **SEC. 2. AUTHORITY OF GREAT LAKES FISHERY COMMIS-**
2 **SION TO INVESTIGATE IMPACTS OF MIGRA-**
3 **TORY BIRDS ON SUSTAINED PRODUCTIVITY**
4 **OF STOCKS OF FISH OF COMMON CONCERN**
5 **IN THE GREAT LAKES.**

6 (a) AUTHORITY UNDER GREAT LAKES FISHERY ACT
7 OF 1956.—The Great Lakes Fishery Act of 1956 (16
8 U.S.C. 931 et seq.) is amended by inserting after section
9 4 the following:

10 **“SEC. 5. AUTHORITY OF COMMISSION TO INVESTIGATE MI-**
11 **GRATORY BIRDS AND FACILITATE MANAGE-**
12 **MENT PROGRAMS.**

13 “(a) IN GENERAL.—The Commission may carry out
14 activities relating to investigation of migratory bird depre-
15 dation on commercial fisheries and sport fisheries in the
16 Great Lakes, including—

17 “(1) development of a coordinated program of
18 research on the impact of migratory birds on fishery
19 stocks in the Great Lakes;

20 “(2) recommendation of measures to permit
21 maximum sustained productivity of those fishery
22 stocks;

23 “(3) development of control and management
24 protocols to be applied by cooperating State, Provin-
25 cial, tribal, First Nation, and United States and Ca-

1 nadian Federal agencies with migratory bird man-
2 agement authority;

3 “(4) incorporation of control and management
4 protocols into a common Memorandum of Under-
5 standing regarding the requirements for determina-
6 tion of necessity to control a migratory bird popu-
7 lation, documentation of measures taken to preclude
8 non-target species mortality, requirements for as-
9 sessment of control effectiveness, and documentation
10 of control results; and

11 “(5) ratification of the Memorandum of Under-
12 standing with cooperating State, Provincial, tribal,
13 First Nation, and United States and Canadian Fed-
14 eral agencies with migratory bird management au-
15 thority, including the issuance of permits under au-
16 thority delegated to the Commission under sub-
17 section (c) of section 3 of the Migratory Bird Treaty
18 Act (16 U.S.C. 704).

19 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated to the Commission
21 \$3,500,000 for activities of the Commission under this
22 section. Further, there are authorized to be annually ap-
23 propriated to the Commission \$2,000,000 for migratory
24 bird management activities to be conducted by State, Pro-
25 vincial, tribal, First Nation, and United States and Cana-

1 dian Federal agencies with migratory bird management
2 authority and signatory to the Memorandum of Under-
3 standing.”.

4 (b) AUTHORITY UNDER MIGRATORY BIRD TREATY
5 ACT.—Section 3 of the Migratory Bird Treaty Act (16
6 U.S.C. 704) is amended by adding at the end the fol-
7 lowing:

8 “(c) ISSUANCE OF PERMITS.—

9 “(1) IN GENERAL.—Upon request by the Great
10 Lakes Fishery Commission, the Secretary shall issue
11 permits to cooperating State, Provincial, Tribal,
12 First Nation, and United States and Canadian Fed-
13 eral agencies with migratory bird management au-
14 thority, and signatory to a Memorandum of Under-
15 standing with the Great Lakes Fishery Commission,
16 to manage and take migratory birds, for the purpose
17 of control of depredation by migratory birds on com-
18 mercial fisheries and sport fisheries in the Great
19 Lakes.

20 “(2) COMMISSION DEFINED.—In this section,
21 the term ‘Great Lakes Fishery Commission’ means
22 the commission provided for by article II of the Con-
23 vention on Great Lakes Fisheries between the

- 1 United States of America and Canada, signed Sep-
- 2 tember 10, 1954.”.

